



ADOPTED RULE

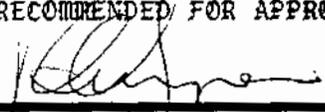
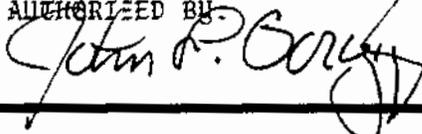
DEPARTMENT OF CORRECTIONS  
AGENCY OF HUMAN SERVICES  
STATE OF VERMONT

NUMBER

B

256

POLICY  
DIRECTIVE  
PROCEDURE

SUBJECT  COMMUNITY NOTIFICATION	EFFECTIVE DATE  2/28/2000	REVIEWED AND RE-ISSUED	SUPERSEDES  NEW
RECOMMENDED FOR APPROVAL BY:    SIGNATURE	AUTHORIZED BY:    SIGNATURE		

AUTHORITY

28 Vermont Statutes Annotated, Chapter 1 section 1; Chapter 3 sections 101, 104; and Chapter 11 section 808.

**PURPOSE**

To provide notice to affected community legislative bodies and criminal justice agencies when the department plans to place more than two furloughed offenders in a single residential dwelling.

**APPLICABILITY & ACCESSIBILITY**

This policy applies to all department staff, employees and volunteers. Anyone may have access to this policy.

**DEFINITIONS**

“Community placement address or home address” means the actual residence of an offender who is living in the community while being supervised by the department.

“Conviction” means a judgment of guilty following a verdict or a finding of guilt, a plea of guilty, or a plea of *nolo contendere* to the criminal laws of this state.

“Criminal history” means records in the possession of the department that pertain to any past criminal offense(s), conviction(s) or sentence(s) of any individual offender currently on furlough.

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"Criminal justice entities" means any entity authorized to engage in community policing, or any entity established in whole or part with any public monies for the purposes of addressing community safety, prevention of crime, rights and needs of victims, or the reintegration of offenders.

"Day" means a weekday excluding federal or state holidays.

"Dwelling" means any location owned or rented by the offender or an apartment or residential space owned or leased by the Department, in which an offender is housed, other than a correctional facility named as such.

"Furlough" for the purposes of this policy means a period of reintegration into the community following incarceration during which the offender is participating in restorative and/or risk management programs.

"Incarceration" means service of any portion of a sentence imposed under the criminal laws of this state in a correctional facility.

"Notice" means dissemination of information in any form to include but not limited to the print media, documents, and electronic transmission.

"Offender" means any person convicted of a crime or offense under the laws of this state.

"Offense" means the conduct underlying a conviction.

"Reintegration" means any process that assists offenders in assuming responsible roles as productive and law-abiding members of the community and identifies ways to assist victim recovery.

"Risk" means the degree of dangerousness, degree of harm and likelihood of future conduct by an offender on furlough where such conduct is a violation of the criminal laws of this state.

**POLICY****Notification of released offenders****A. Notice to Towns and Communities**

The Department shall make available a public web site that will contain a list of the number of offenders currently in the custody and control of the department. This

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List shall contain a breakdown of the number of offenders supervised by the department in the community and the name of the towns where the offenders currently resides (this list shall not contain the names of offenders or their criminal history). The department shall update the list periodically using its own records.

**B. Law Enforcement Entities**

All offenders released on furlough shall be added to a listing that shall be made available to all local, county, and state law enforcement agencies. Copies of the list may be provided to law enforcement agencies, or posted via a web site accessible only by law enforcement agencies. Information on this listing shall include the following:

- The offender's name and any aliases
- The offender's current address
- Current offense and sentence
- The name, address, and telephone number of the department of corrections office with supervision over the offender.

Those law enforcement agencies gaining access to this information must comply with the department's rules governing confidentiality of offender and victim information and nothing shall restrict a law enforcement entity from taking whatever action is appropriate in a particular case to protect victims and members of the public.

**C. Victim Notification**

Nothing in this policy relieves the department from notifying victims who have requested individual notification of release of the offender. If the department releases an offender who was convicted of an offense in which the victim was a minor or elderly person, notice shall be made to the department of social and rehabilitative services.

**Notification of Multiple Offender Residential Housing**

The department shall provide advance notice to the appropriate state, county and local criminal justice entities and local legislative bodies in a particular community of the fact that offenders-- in any legal status under the department's supervision--will be residing in a dwelling in the affected community in the following circumstances:

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- If the department has made arrangements to use the dwelling for the joint use of three or more offenders on community supervision, notice must be made at least 15 days prior to placing any offender in such dwelling; or
- If the department is currently using the dwelling as a residence for one or two offenders and it plans to use the dwelling for at least three offenders, notice must be made at least 15 days prior to placing a third offender in the dwelling.
- If the department is currently using (at the promulgation of this policy) a dwelling for more than two offenders, notice of that fact shall be made as soon as possible.

**Directives**

The department shall promulgate directives to implement the provisions of this policy.